

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53534 of 2017

Arising Out of PS. Case No. -472 Year- 2017 Thana -PIRBAHOR District- PATNA

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1. Arun Mahto, son of Naresh Mahto
2. Munna Mahto, son of Naresh Mahto
Both residents of Mahendrughat, P.S.- Pirbahor, District- Patna, State-
Bihar. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER**

2 09-11-2017

Heard learned counsel for the petitioners and State.

The petitioners apprehend their arrest in connection with Pirbahor P.S. case no. 472 of 2017 for the offence under Sections 147, 148, 149, 323 and 353 of the Indian Penal Code.

From the perusal of the F.I.R. it appears that there is omnibus allegation against ten persons including these two petitioners.

Counsel for the petitioners submits that the alleged occurrence is dated 01.09.2017, whereas the F.I.R. was registered on 04.09.2017 and there is no explanation for the delay of lodging the F.I.R. He further submits that the F.I.R. was registered on 04.09.2017, but the same was sent to the Court on 06.09.2017, which creates further doubt about the prosecution case.



Considering the nature of allegation and delay in lodging the F.I.R., the petitioners, named above, in the event of arrest or surrender before the court below within one month from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. case no. 472 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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